

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

L.W. et al.,)	
<i>by and through her parents and next friends,</i>)	
<i>Samantha Williams and Brian Williams,</i>)	
)	
Plaintiffs,)	NO. 3:23-cv-00376
)	JUDGE RICHARDSON
)	JUDGE NEWBERN
and)	
)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff-Intervenor)	
)	
v.)	
)	
JONATHAN SKRMETTI et al.,)	
)	
Defendants.)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE RESPONSIVE PLEADINGS AND TO
CONTINUE INITIAL CASE MANAGEMENT CONFERENCE**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6.01, and for good cause shown, Defendants respectfully move to extend their deadline for responding to the Private Plaintiffs' Complaint [ECF 1] and the Plaintiff-Intervenor's Complaint in Intervention [ECF 38-2] until 21 days after the final resolution of Plaintiffs' available appellate remedies with respect to the Sixth Circuit's preliminary injunction ruling. Defendants further request that the Court continue the initial case management conference until a reasonable time after Defendants have filed their responsive pleadings.

1. On July 12, 2023, the Court issued its Order [ECF 176] setting Defendants' deadline for responding to the Complaint and the Complaint in Intervention for "no later than twenty-one days after the Sixth Circuit issues its ruling on their appeal of this Court's preliminary

injunction.” The Court further ordered Defendants to file a motion to reset the initial case management conference by “no later than twenty-eight days after the Sixth Circuit issues its ruling.” *Id.*

2. On September 29, 2023, the Sixth Circuit issued its opinion reversing this Court’s preliminary injunction order and remanding the case for further proceedings. The Sixth Circuit’s mandate has not yet issued. *See* Fed. R. Civ. P. 41(b).

4. Plaintiffs have not advised as to whether they plan to pursue any additional appellate remedies with respect to the Sixth Circuit’s preliminary injunction ruling.

5. In the interest of judicial economy, and to preserve the time and resources of the parties, Defendants respectfully request the Court to extend their deadline for responding to the Complaint and the Complaint in Intervention until 21 days after final resolution of Plaintiffs’ available appellate remedies.

6. Defendants further respectfully request that the initial case management conference be continued until a reasonable time after Defendants have responded to the Complaint and the Complaint in Intervention.

7. The relief requested herein will not cause any unnecessary delay or unfairly prejudice any other party.

8. Counsel for Defendants has conferred with counsel for Private Plaintiffs and Plaintiff-Intervenor, and Private Plaintiffs and Plaintiff-Intervenor have represented that they do not oppose the relief requested.

Dated: October 2, 2023

Adam K. Mortara (BPR# 40089)
Lawfair LLC
40 Burton Hills Blvd., Suite 200
Nashville, TN 37215
(773) 750-7154
mortara@lawfairllc.com

Cameron T. Norris (BPR# 33467)
Consovoy McCarthy PLLC
1600 Wilson Blvd., Suite 700
Arlington, VA 22209
(703) 243-9423
cam@consovoymccarthy.com

Counsel for Defendants

Respectfully submitted,

/s/ Steven J. Griffin

STEVEN J. GRIFFIN (BPR# 40708)
Senior Counsel
TRENTON MERIWETHER (BPR# 38577)
Assistant Attorney General
RYAN N. HENRY (BPR# 40028)
Assistant Attorney General
BROOKE A. HUPPENTHAL (BPR# 40276)
Assistant Attorney General
Office of the Tennessee Attorney General
P.O. Box 20207
Nashville, Tennessee 3720
(615) 741-9598
steven.griffin@ag.tn.gov
trenton.meriwether@ag.tn.gov
ryan.henry@ag.tn.gov
brooke.huppenthal@ag.tn.gov

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on October 2, 2023, the undersigned filed the foregoing document via this Court's electronic filing system, which sent notice of such filing to the following counsel of record:

COUNSEL OF RECORD	PARTY REPRESENTED
<p>Stella Yarbrough Lucas Cameron-Vaughn Jeff Preptit ACLU Foundation of Tennessee P.O. Box 120160 Nashville, TN 37212 Tel.: 615-320-7142 syarbrough@aclu-tn.org lucas@aclu-tn.org jpreptit@aclu-tn.org</p> <p>Joshua A. Block Chase Strangio American Civil Liberties Union Foundation 125 Broad Street, Floor 18 New York, NY 10004 Tel.: 212-549-2593 jblock@aclu.org cstrangio@aclu.org</p> <p>Sruti J. Swaminathan Lambda Legal Defense and Education Fund, Inc. 120 Wall Street, 19th Floor New York, NY 10005 Tel.: 212-809-8585 sswaminathan@lambdalegal.org</p> <p>Avatara A. Smith-Carrington Lambda Legal Defense and Education Fund, Inc. 1776 K Street N.W., 8th Floor Washington DC 20006 Tel.: 202-804-6245 asmithcarrington@lambdalegal.org</p>	<p>Plaintiffs L.W., Samantha Williams, Brian Williams, John Doe, Jane Doe, James Doe, Ryan Doe, Rebecca Doe, and Susan N. Lacy</p>

<p>Tara Borelli Lambda Legal Defense and Education Fund, Inc. 1 West Court Square, Ste. 105 Decatur, GA 30030 Tel.: 404-897-1880 tborelli@lambdalegal.org</p> <p>Joseph L. Sorkin Dean L. Chapman, Jr. Kristen W. Chin Richard J. D’Amato Theodore James Salwen Akin Gump Strauss Hauer & Feld LLP One Bryant Park New York, NY 10036 Tel.: 212-872-1000 jsorkin@akingump.com dchapman@akingump.com kristen.chin@akingump.com rdamato@akingump.com jsalwen@akingump.com</p> <p>Elizabeth D. Scott Akin Gump Strauss Hauer & Feld LLP 2300 N. Field Street, Suite 1800 Dallas, TX 75201 Tel.: 214-969-2800 edscott@akingump.com</p> <p>Christopher J. Gessner David Bethea Akin Gump Strauss Hauer & Feld LLP Robert S. Strauss Tower 2001 K Street N.W. Washington, DC 20006 Tel.: 202-887-4000 cgessner@akingump.com dbethea@akingump.com</p>	
<p>Ellen B. McIntyre U.S. Attorney’s Office for the Middle District of Tennessee 719 Church Street, Suite 300 Nashville, TN 37203 ellen.bowden2@usdoj.gov</p>	<p>Intervenor-Plaintiff United States of America</p>

Alyssa C. Lareau
United States Department of Justice
Federal Coordination and Compliance Section
950 Pennsylvania Avenue NW
4CON
Washington, DC 20530
(202) 305-2994
Alyssa.Lareau@usdoj.gov

Coty Montag
United States Department of Justice
Federal Coordination and Compliance Section
950 Pennsylvania Avenue NW
4CON
Washington, DC 20530
(202) 305-2222
Coty.Montag@usdoj.gov

Gloria Yi
United States Department of Justice
Federal Coordination and Compliance Section
950 Pennsylvania Avenue NW
4CON
Washington, DC 20530
(202) 616-3975
Gloria.Yi@usdoj.gov

Tamica Daniel
United States Department of Justice
Housing and Civil Enforcement Section
950 Pennsylvania Avenue NW
4CON
Washington, DC 20530
(202) 598-9636
Tamica.Daniel@usdoj.gov

/s/ Steven J. Griffin

STEVEN J. GRIFFIN
Senior Counsel

Counsel for Defendants